Hovsepian v. Apple, Inc. Doc. 331

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In Re ACACIA MEDIA TECHNOLOGIES CORPORATION	Case No. C-05-01114 JW NOTICE OF PENDENCY OF CASES UNDER CHAPTER 11 OF THE FEDERAL BANKRUPTCY CODE AND OF THE AUTOMATIC STAY

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NOTICE OF PENDENCY OF CASES UNDER CHAPTER 11 OF THE FEDERAL BANKRUPTCY CODE AND OF THE AUTOMATIC STAY

PLEASE TAKE NOTICE that on March 27, 2009, a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code (the "Petition") was filed in the United States Bankruptcy Court for the Southern District of New York by Charter Communications, Inc. ("Charter"), in Case No. 09-11435. A true and correct copy of Charter's Petition is attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that as a result of the pendency of the bankruptcy case, the instant action against Charter is subject to the automatic stay set forth in 11 U.S.C. § 362. Pursuant to 11 U.S.C. § 362, this lawsuit may not proceed against Charter. The automatic injunction granted by 11 U.S.C. § 362(a) will remain in effect until the bankruptcy case is dismissed or closed, or until such earlier times as set forth in 11 U.S.C. § 362(c), (d), (e) and (f).

PLEASE TAKE FURTHER NOTICE that contempt proceedings may be initiated against any party who participates in any violation of the automatic stay, and pursuant to the provisions of the Bankruptcy Code, the Bankruptcy Court may award actual damages, including costs and attorney's fees, and in appropriate circumstances, awards of punitive damages to compensate the Debtor for loss arising out of violation of the automatic stay.

Respectfully Submitted,

Dated: March 27, 2009

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PROOF OF SERVICE

I hereby certify that on March 27, 2009, I caused the following document: NOTICE OF PENDENCY OF CASES UNDER CHAPTER 11 OF THE FEDERAL BANKRUPTCY CODE AND OF THE AUTOMATIC STAY, to be filed electronically with the Clerk of Court through ECF, and that ECF will send an enotice of the electronic filing to counsel of record for all parties via Court's ECF system on March 27, 2009.

The above-described document was also transmitted to the recipient indicated below, by courier only:

Chambers of the Honorable James Ware
Attn: Regarding Acacia Litigation
280 South First Street
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s/ Jon-Thomas Bloch
Jon-Thomas Bloch

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